

109TH CONGRESS
1ST SESSION

S. 310

To direct the Secretary of the Interior to convey the Newlands Project Headquarters and Maintenance Yard Facility to the Truckee-Carson Irrigation District in the State of Nevada.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 8, 2005

Mr. ENSIGN (for himself and Mr. REID) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To direct the Secretary of the Interior to convey the Newlands Project Headquarters and Maintenance Yard Facility to the Truckee-Carson Irrigation District in the State of Nevada.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Newlands Project
5 Headquarters and Maintenance Yard Facility Transfer
6 Act”.

7 **SEC. 2. DEFINITIONS.**

8 In this Act:

1 (1) AGREEMENT.—The term “Agreement”
 2 means the memorandum of agreement between the
 3 District and the Secretary identified as Contract No.
 4 3–LC–20–805 and dated June 9, 2003.

5 (2) DISTRICT.—The term “District” means the
 6 Truckee-Carson Irrigation District in the State of
 7 Nevada.

8 (3) SECRETARY.—The term “Secretary” means
 9 the Secretary of the Interior.

10 **SEC. 3. CONVEYANCE OF NEWLANDS PROJECT HEAD-**
 11 **QUARTERS AND MAINTENANCE YARD FACIL-**
 12 **ITY.**

13 (a) CONVEYANCE.—

14 (1) IN GENERAL.—As soon as practicable after
 15 the date of enactment of this Act and in accordance
 16 with the Agreement and any applicable laws, the
 17 Secretary shall convey to the District all right, title,
 18 and interest of the United States in and to the real
 19 property described in paragraph (2).

20 (2) DESCRIPTION OF PROPERTY.—The real
 21 property referred to in paragraph (1) is the real
 22 property within the Newlands Projects, Nevada, that
 23 is—

24 (A) known as “2666 Harrigan Road,
 25 Fallon, Nevada”; and

1 (B) identified for disposition on the map
2 entitled “Newlands Project Headquarters and
3 Maintenance Yard Facility”.

4 (b) CONSIDERATION.—Notwithstanding any other
5 provision of law, amounts received by the United States
6 for the lease or sale of Newlands Project land comprising
7 the Fallon Freight Yard shall, for purposes of this section,
8 be treated as consideration for the real property conveyed
9 under subsection (a).

10 (c) REPORT.—If the Secretary has not completed the
11 conveyance under subsection (a) within 1 year after the
12 date of enactment of this Act, the Secretary shall submit
13 to Congress a report that—

14 (1) explains the reasons why the conveyance
15 has not been completed; and

16 (2) specifies the date by which the conveyance
17 will be completed.

18 (d) ENVIRONMENTAL REVIEW, REMEDIATION, AND
19 REMOVAL.—In accordance with the Agreement, the Sec-
20 retary may not convey the real property under subsection
21 (a) until—

22 (1) the National Environmental Policy Act of
23 1969 (42 U.S.C. 4321 et seq.) and any applicable
24 requirements relating to cultural resources have been

1 complied with for the real property to be conveyed
2 under subsection (a); and

3 (2) any required environmental site assessment,
4 remediation, or removal has been completed with re-
5 spect to the real property to be conveyed under sub-
6 section (a).

7 (e) LIABILITY.—The United States shall not be liable
8 for damages of any kind arising out of any act, omission
9 by, or occurrence relating to, the District or any employee,
10 agent, or contractor of the District with respect to the real
11 property conveyed under subsection (a) that occurs before,
12 on, or after the date of the conveyance.

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